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Theodore P. Cummings, Esq. 40,973  
Name of Attorney Registration No.  
Signature of Attorney

STP  
APR 29 2003

8072M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :

Stephen Paul Zimmerman, et al. : Conf. No. 2167

Serial No.: 09/851,040 : Group Art Unit: 1761

Filed: May 8, 2001 : Examiner: S.J. Castellano

Title: SNACK PIECE DESIGN HAVING INCREASED PACKED DENSITY

**DECLARATION UNDER 37 CFR 1.131**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Stephen Paul Zimmerman, hereby declare the following:

1. THAT, I am a co-inventor of Claims 1-4, 6-14, 16-25 and 27-35 of the above-identified patent application;
2. THAT, prior to September, 1999, we completed the invention as described and claimed in the subject application in this country, a NAFTA country, or a WTO country, as evidenced by the following:
  - a.) Page 7 of the scientific notebook (Exhibit A) shows the triangular shape of the snack pieces;
  - b.) The curved-concave nature of the snack piece is shown in Exhibit B; and
  - c.) Specifics about the stacking of the snack pieces are shown in Exhibit C.

I, Stephen Paul Zimmerman, declare that all statements made herein are true to the best of my knowledge, or if made upon information and belief, are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

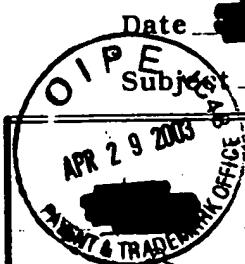
*Stephen Paul Zimmerman*  
Stephen Paul Zimmerman

Date: *April 24, 2003*

# EXHIBIT A

7

P&amp;G Restricted



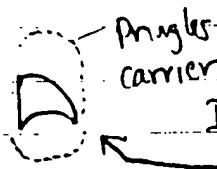
## FS-11 Shape Development Cutter Specifications

On [REDACTED] and [REDACTED], more chips were made using the same formula and specifications given on the previous page. These chips were used in show/use tests [REDACTED].

Chip shapes were based on specifications from the drawings below and on the next page. The chips were fired into three-dimensional shapes as follows:

Equilateral Triangle: 1) bowl-shaped

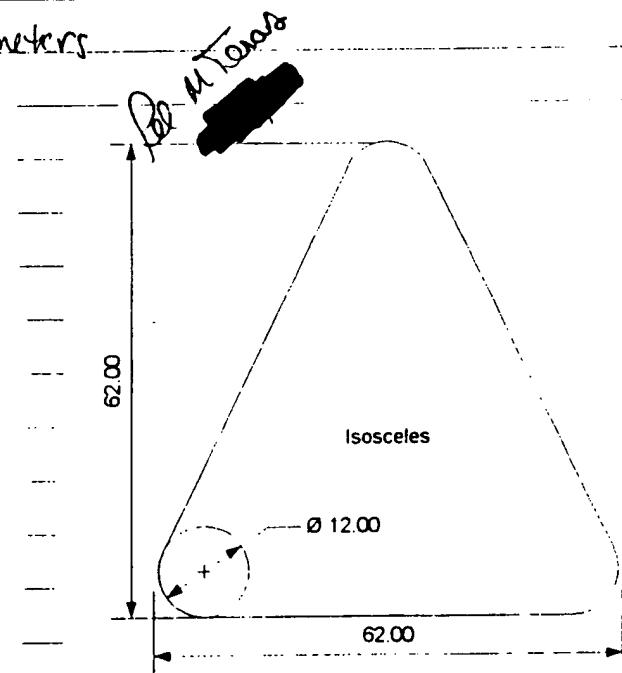
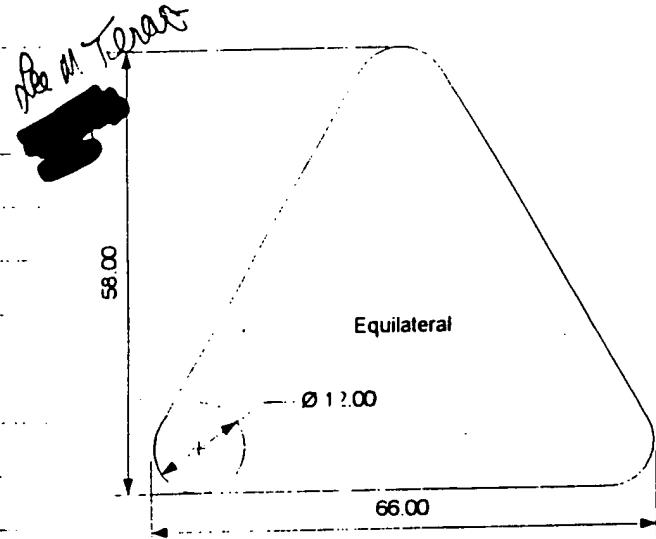
2) sinusoidal with additional curvature  
(shown on the next page)



Isosceles Triangle: 1) Pringles carrier, with long axis rotated 90°

"Teardrop"/rounded triangle: 1) Pringles carrier

- measurements in millimeters



BEST AVAILABLE COPY

Worker's Signature

*Ron M. Keran*

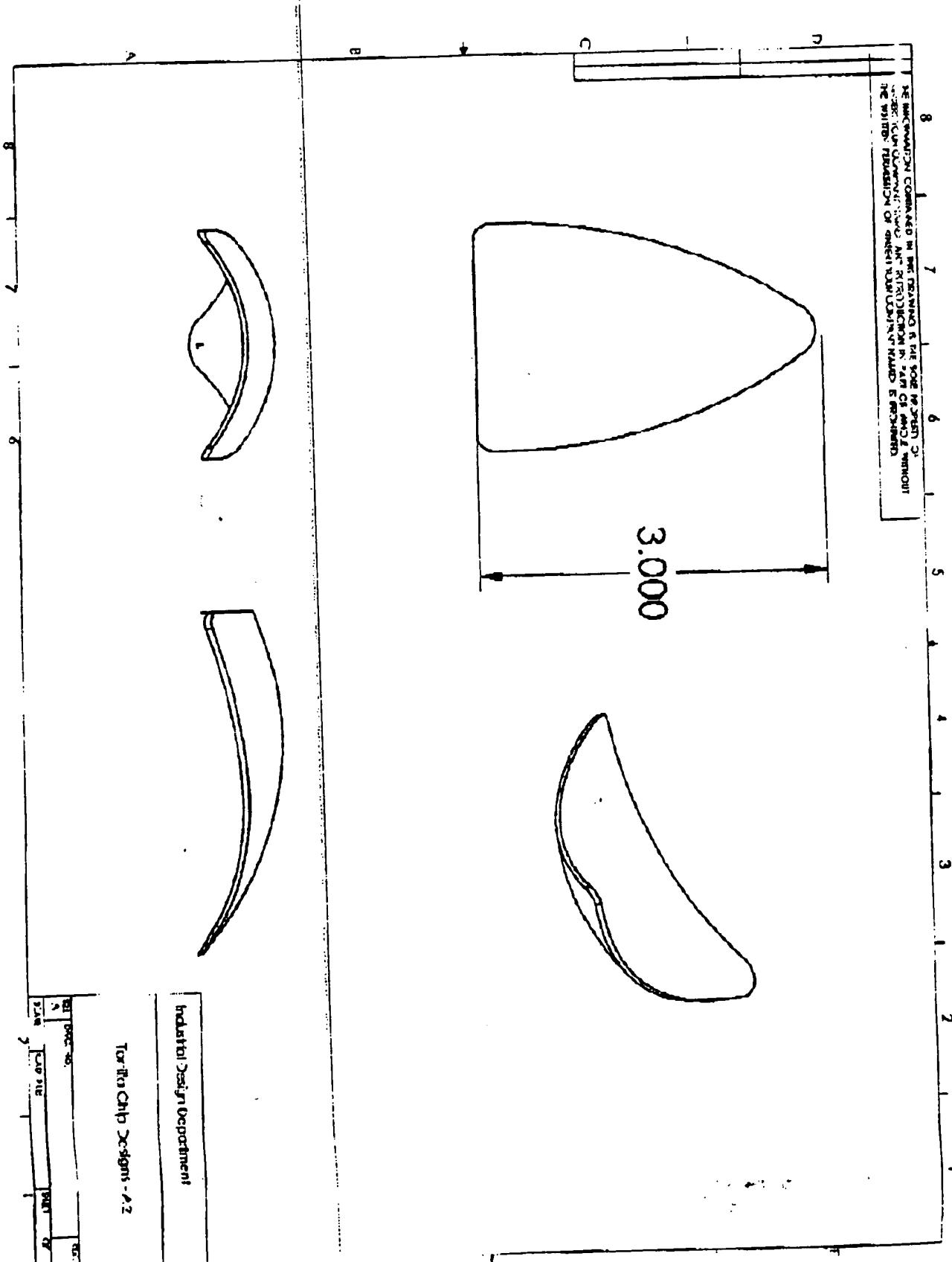
Date [REDACTED]

Corroborating Witness

*John D. Ford*

Date [REDACTED]

# Exhibit B



# EXHIBIT C

9

Date \_\_\_\_\_

P&amp;G Restricted

Subject Chip Stack Height Measurements

Chips were cut to dimensions shown on previous pages and fitted in carriers of the described shape.

## Equilateral Bowl

Stacks of 20 chips:

Surface-to-surface

Total Ht

73 mm

83 mm

70 mm

82 mm

73 mm

82 mm

63

69

67

74

## Sigmoid Equilateral

20 chips

64

72

78

83

67 70

82

radial

measurement JMT

## Current carrier, 90°

20 chips

64

75

63

80

63

76

Radial measurement JMT

## Current carrier, tapered

20 chips

59

78

48

65

15 chips

38

58

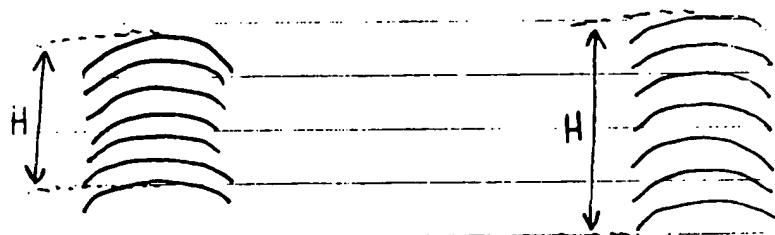
20 chips

56

76

- surface to surface:

total ht:



Worker's Signature

RJM/Tent

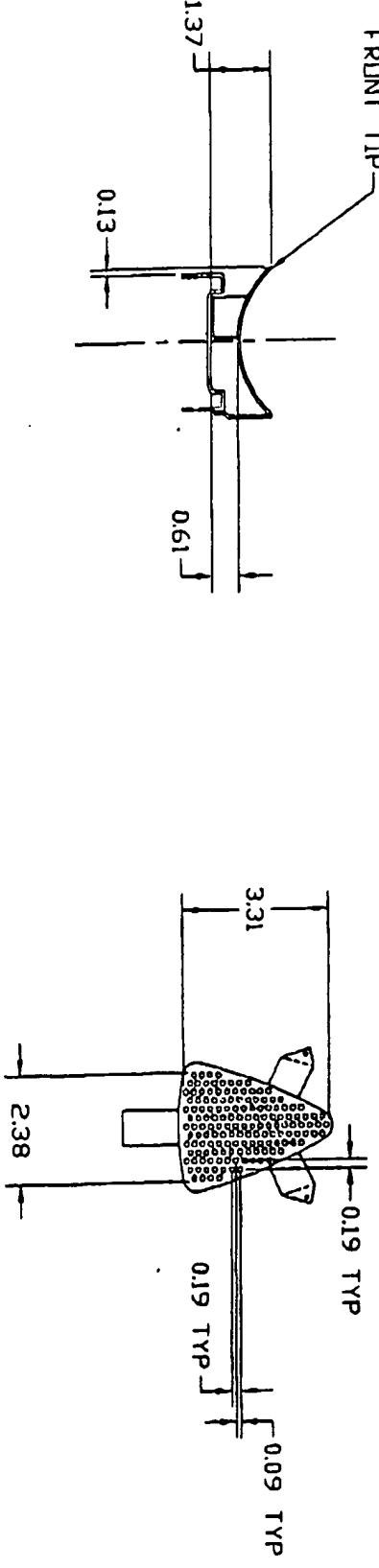
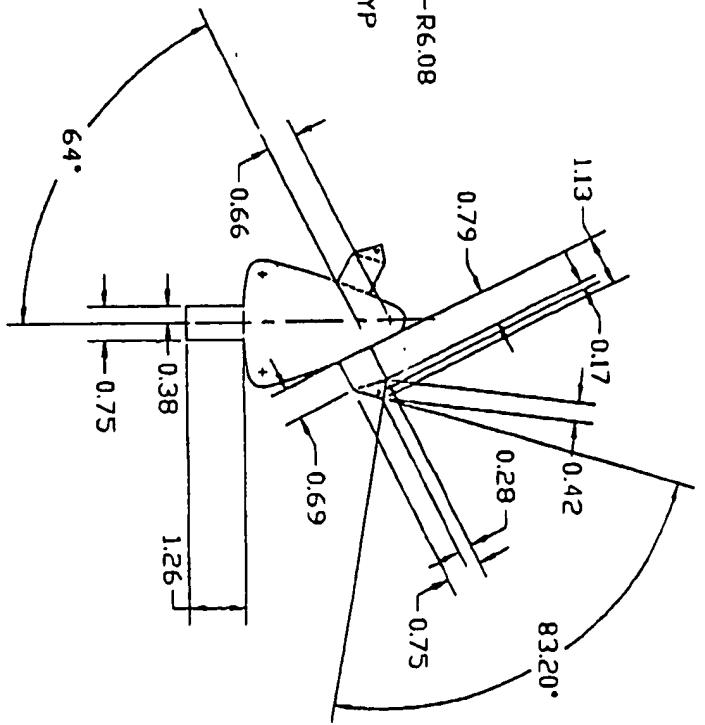
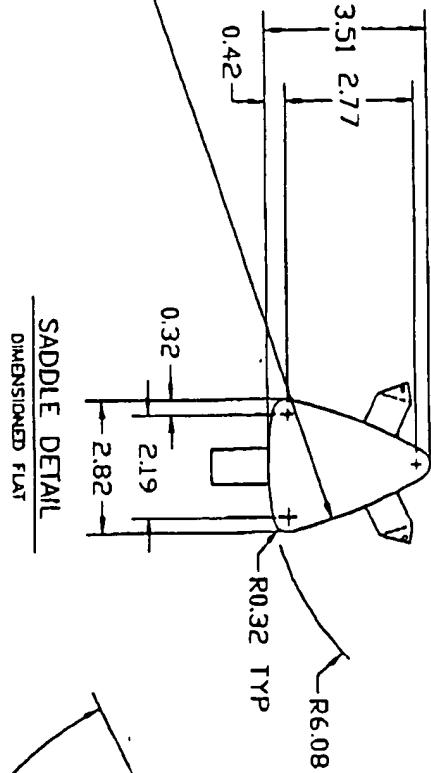
Corroborating Witness

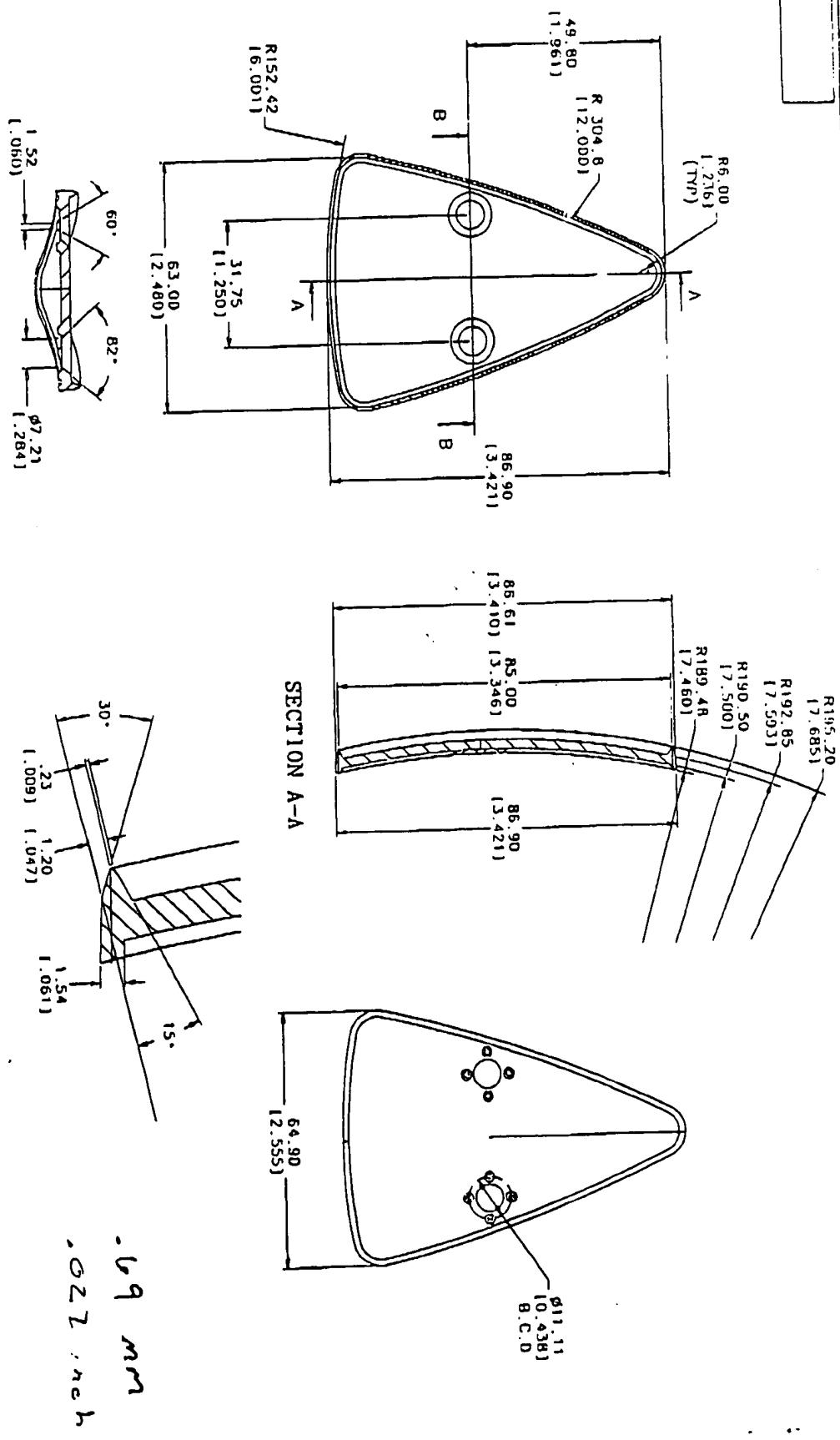
Date

Date

A

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DETAIL "A"  
SCALE = 4X

DETAIL "A"  
SCALE = 4X